

The Honorable John C. Coughenour

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IN RE VALVE ANTITRUST LITIGATION

Case No. 2:21-cv-00563-JCC

**DECLARATION OF RALPHAEL VAN
LIEROP IN SUPPORT OF VALVE'S
MOTION TO SEAL**

I, Raphael van Lierop, declare and state as follows in support of Valve Corporation's ("Valve") Reply Brief in Support of its Motion to Seal (Dkt #198), seeking to seal certain documents, communications, and other information contained in Plaintiffs' Motion for Class Certification and Appointment of Co-Lead Class Counsel and submitted in support of that motion:

1. I am the founder, chief executive officer and chief creative officer of third-party Hinterland Studio, Inc. ("Hinterland").
2. I am over the age of 18, competent to testify, and have personal knowledge of the facts stated below.
3. Hinterland is an independent computer and video game developer headquartered in Vancouver, British Columbia, Canada.

1 4. Hinterland partners with Valve to sell and distribute its games on the Steam
2 platform. As part of that relationship, Hinterland regularly communicates with Valve about
3 Hinterland's business and game promotions.

4 5. Hinterland carefully protects the confidentiality of its business information
5 through disclosure restrictions, confidentiality markings, and secure access to its servers.
6 Hinterland implements strict access controls, using encryption, regularly updating its
7 security measures.

8 6. Valve has filed a motion to seal various documents and communications that
9 contain Valve's and third parties' sensitive business information, which are collectively
10 referred to in this Declaration and in Valve's Motion to Seal as the "Sealed Materials" (Dkt
11 #198).

12 7. Hinterland has reviewed that Motion to Seal and supports the relief that Valve
13 requests, for the reasons provided by Valve in its Motion.

14 8. Among other exhibits, Valve has moved to seal Exhibit 51, attached to the
15 Declaration of Alicia Cobb in Support of Plaintiff's Motion for Class Certification (Dkt.
16 #182).

17 9. Cobb Exhibit 51 is an email chain between Valve and Hinterland that contains
18 discussions of Hinterland's distribution on Steam, game promotion model, and pricing. *See*
19 Cobb Exhibit 51.

20 10. As described in Valve's Motion to Seal, public disclosure of this information
21 could cause Hinterland substantial competitive harm, as competitors can use its proprietary
22 information to gain an advantage in the marketplace by, among other things, setting prices,
23 using Hinterland's game promotion strategy to Hinterland's detriment, or developing rival
24 products and strategies.

25 11. Under the Steam Distribution Agreement that Hinterland and Valve both
26 signed, Valve and Hinterland agreed to keep confidential the proprietary business



1 information that is shared between the two companies, including sensitive business
2 information like the third-party information Valve seeks to seal.

3 12. Indeed, it is standard in the industry for parties to carefully protect the
4 confidentiality of sensitive business information because of the potential for competitive
5 harm from disclosure of that information.

6 13. Therefore, Hinterland respectfully requests that the Court grant Valve's
7 Motion to seal Cobb Exhibit 51 since compelling reasons exist to seal the confidential
8 business strategy communications between Valve and Hinterland.

9 I declare under penalty of perjury under the laws of the United States that the
10 foregoing is true and correct.

11 Executed on this 4th day of April, 2024 at Vancouver, British Columbia.

12 DocuSigned by:
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15 Raphael van Lierop
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